

5 November 2004

25 Year Anniversary
1979 - 2004

Our Ref: PCTAU2004000369:BSN:GP
CCID: 4510000537

TO: THE COMMISSIONER OF PATENTS

Sir

Re: Response to Written Opinion

**IN THE MATTER OF: International Patent Application Number
PCT/AU2004/000369 in the name of Jeremy Peter
Gorman and John Vincent Tilbrook – "TIMING
DISPLAY"**

We write in response to the written opinion issued by Authorised Officer Jyoti Shamdasani in relation to the above International Patent application on 18 June 2004 .

The Examiner has suggested that *"the claimed invention and [the] citations provide a simple linear time display that functions in an entirely equivalent manner to achieve the same purpose where movement of light in a particular direction indicates the time lapsed or left for the game."*

We submit that the novelty conferring features of the present invention are, in fact, significant departures from the cited prior art and clearly represent an inventive step.

It is important to realise that the present invention is designed for use in relation to games such as basketball where players and the ball are constantly moving. The purpose of the timing display of the present invention is to provide an indication for the players "in the corner of their eye" of the amount of time remaining.

The linear uni-directional displays described in the prior art are quite unsuited to this application, as they create an impression of a line moving from one point to another, rather than a stationery line expanding or shrinking as in the present invention. In basketball, for instance, such a display could not be placed in a prominent position

such as over the backboard. Were it to be placed in such a position, a player aiming the ball at the backboard would be confronted with the impression of a moving target. This would be highly distracting.

In contrast, the stationery line of the present invention can be placed directly in a player's line of sight without disorienting him or her.

We submit that this distinction is clearly inventive when compared to the cited prior art.

Favourable reconsideration is requested.

Yours respectfully
for LORD AND COMPANY

BARRY S. NEWMAN

Enc.